IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE G. BIKSHAPATHY**

**And**

**THE HON'BLE MR JUSTICE Ch.S.R.K. PRASAD**

**WRIT PETITION NO : 12806 of 2004**

Between:

Munga Ammulamma, W/o.Munga Naga Raju,
R/o.New Colony, Chirala, Prakasam Dist.

**..... PETITIONER**

AND

1 The Commissioner of Police, Vijayawada, Krishna Dist.
2 The Deputy Commissioner of police, Central Crime Station,Vijayawada, Krishna Dist.
3 The Circle Inspector, Central Crime Station,Vijayawada, Krishna Dist.
4 The Circle Inspector, 1 Town police station,Vijayawada, Krishna Dist.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, more particularly in the nature of writ of HABEAS CORPUS declaring the action of respondents in illegally detaining the husband of the petitioner Munga Nagaraju as arbitrary illegal and violation of Article 21 of the Constitution of India and consequently direct the respondents to produce the husband of the petitioner Munga, Nagaraju, S/o.Muniswamy, aged about 36 years, occ.Cooly, R/o.new colony, Chirala, Prakasam District forthwith before this Hon'ble court and consequently set him at liberty in the interest of justice.

**Counsel for the Petitioner: MR.P.NAGENDRA REDDY**
**Counsel for the Respondents: THE ADVOCATE GENERAL**

**The Court made the following :**

ORAL ORDER: (per GB.J.)

The Writ Petition is filed seeking a Writ of Habeas Corpus directing the respondents to produce the husband of the petitioner viz., Munga Nagaraju son of Muniswamy.

2. It is the case of the petitioner that the police on 2.7.2004 took her husband into custody and he was not produced so far before any Court and his whereabouts are not known. Therefore, she filed the present Writ Petition for production of her husband.

3. In the counter filed by the 3rd respondent it is stated that since an N.B.W. was pending against the husband of the petitioner, the same was executed on 26.7.2004 when he was found at Gannavaram bus stand and thereafter he was produced before the in-charge Judicial First Class Magistrate, Rajole and he is now in judicial custody.

4. In view of the above circumstances, we do not find any ground to proceed further in the matter.

5. Accordingly the Writ Petition is dismissed.

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(G.BIKSHAPATHY, J.)

29th July, 2004.

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(CH.S.R.K.PRASAD, J.)

SSR

To

1 The Commissioner of Police, Vijayawada, Krishna Dist.
2 The Deputy Commissioner of police, Central Crime Station,Vijayawada, Krishna Dist.
3 The Circle Inspector, Central Crime Station,Vijayawada, Krishna Dist.
4 The Circle Inspector, 1 Town police station,Vijayawada, Krishna Dist

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